

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DENISE H. REIN, Individually and as
Executrix of the Estate of MARK ALLEN
REIN, Deceased, et al.,

Plaintiffs,

-against-

THE SOCIALIST PEOPLE'S LIBYAN ARAB
JAMAHIRIYA, LIBYAN EXTERNAL
SECURITY ORGANIZATION aka JSO aka
JAMAHIRIYA SECURITY ORGANIZATION
LIBYAN ARAB AIRLINES, LAMEN KHALIFA
FHIMA aka MR. LAMIN aka A AL AMIN
KHALIFA FHIMA, ABDEL BASSETT ALI
AL-MEGRAHI aka MR. BASSET aka ABDEL
BASSET ALI MOHMED aka ABDEL BASSET
ALI MOHMED AL MEGRAHI,

CV-96-2077 (TCP)

MDL 799

CV-03-1579

CV-94-5557

CV-

97-4079

ORDER

Defendants.

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PLATT, District Judge

In connection with the two motions pending before the Court concerning a contingency fee dispute between Kreindler & Kreindler, LLP (“Kreindler”) on behalf of the Plaintiffs’ Committee and Emery Celli Brinckerhoff & Abady, LLP (“ECBA”), following the oral argument on the motions, on June 7, 2006, Kreindler submitted to the Court “Proposed Findings of Fact and Conclusions of Law” (the “Proposed Findings”). Currently before the Court are letters from ECBA, dated June 8, 2006 and June 9, 2006, objecting to

the Court's consideration of the Proposed Findings, requesting that the Proposed Findings be stricken from the record, and alternatively, requesting an opportunity to submit counter proposed findings of fact and conclusions of law should the Court choose to consider the Proposed Findings. The Court does not agree with ECBA that the Proposed Findings are improper under Rule 52, which governs findings of fact by the Court in a non-jury trial – clearly not the situation here. Nevertheless, the Court will permit ECBA to submit counter proposed findings of fact and conclusions of law no later than ten days from the date of entry of this Order.

SO ORDERED.

/s/ Thomas C. Platt
Thomas C. Platt, U.S.D.J.

Dated: Central Islip, New York
June 23, 2006